



1                   A. DASRATH

2           Supreme Court County of Queens.

3                   It is entitled affidavit in  
4           support. I ask you to take a look at the  
5           second page of the document. And I ask you  
6           if that is your signature or a copy of your  
7           signature?

8           A.       Yes, that is my signature.

9           Q.       Do you recall signing this  
10          affidavit in or about July 19th of 2006?

11          A.       Yes.

12          Q.       And this affidavit was in  
13          connection with the lawsuit filed in the

14          Supreme Court of Queens County?

15          A.       Yes.

16          Q.       This lawsuit was filed prior to  
17          you sitting for the USMLE exam?

18          A.       Yes.

19          Q.       Do you recall why you filed the  
20          lawsuit?

21          A.       I still didn't receive any AICM  
22          grade from the registrar's office.

23          Q.       In this affidavit, paragraph 3,  
24          it says although -- it says I am currently  
25          registered for the USMLE step I exam,

Exhibit P 2

*ROSS UNIVERSITY SCHOOL OF MEDICINE*  
*STUDENT HANDBOOK*  
*OF*  
*ACADEMIC RULES AND REGULATIONS*

*May 2006*



**ROSS**  
UNIVERSITY  
SCHOOL OF MEDICINE

Students are eligible to be certified to take the USMLE Step 2 CK provided that the student has completed a minimum of 45 weeks of clinical training, which must include the Internal Medicine core clerkship and is within 12 months of graduation.

Students must pass Step 2 CK in a maximum of three attempts, and within two calendar years of becoming eligible, in order to receive the Doctor of Medicine degree from Ross University School of Medicine.

Students requesting a LOA to prepare for Step 2 CK will be allowed a period of time not to exceed 6 (six) weeks.

### *THE USMLE STEP 2 CLINICAL SKILLS (Step 2 CS)*

The Step 2 CS is taken during the final year of medical studies. The Step 2 CS assesses whether an examinee can obtain a relevant medical history, perform a physical examination of a patient, and compose a written record of the experience. It includes an evaluation of the examinee's ability to communicate effectively in the English language.

To be certified to take the Step 2 CS, students must have completed 32 weeks of core clinical clerkships, which must include Internal Medicine, and must be scheduled for at least 36 weeks of core clerkships and be within 12 months of graduation.

### *CERTIFICATION FOR THE USMLE*

Applications for the USMLE Steps 1 and 2 CK and CS, are available online from [www.ecfmg.org](http://www.ecfmg.org).

To be certified, a student must be in *good standing* and must have met all of his/her financial obligations to the University. All students requesting re-certification, in order to take this examination a second or third time, must submit to the University Registrar's Office a copy (both sides) of the USMLE score report for the previously taken examination. Students should normally re-take these examinations as soon as they are again eligible. However, the Dean of Clinical Sciences will, upon receiving documentation of a failing score on either Step 1, Step 2 CK or CS, review the student's performance to determine whether there is a need for remedial work before the student re-takes the examination.

Students who pass the USMLE Step 1 and are requesting placement in clinical clerkships must also submit a copy of the score report, along with the performance profile to the University Registrar's Office. Verbal statements or incomplete reports are not acceptable.

Students who are administratively withdrawn, and have not passed the USMLE on their first or second attempts, may request to be sponsored to take or re-take the USMLE through the University through a process of reapplication made through the University Admissions Office. Such requests for sponsorship will be reviewed individually, and may include certain conditions for approval.



1			
2	I N D E X		
3	WITNESS	EXAMINATION BY	PAGE
4	ANAND DASRATH	MS. McLAUGHLIN	4
5			
6	E X H I B I T S		
7	DEFENDANT'S	DESCRIPTION	PAGE
8	A	Document	13
9	B	Copy of transcript	20
10	C & D	E-mails	47
11	E	Transcript	57
12	F	E-mail	87
13	G	Memo	99
14	H	E-mail	111
15	I	Letter	115
16	J	Transcript	118
17	K	Letter	121
18	L	Letter	123
19	M & N	USMLE application	129
20	O	Affidavit	135
21	P	Handbook	140
22	Q	Letter	144
23	R	Letter	145
24	S	Affidavit in opposition	150
25			

1 A. DASRATH

2 signature from October 25th, 2006?

3 A. Yes.

4 Q. Do you recall signing this  
5 affidavit at the time that it was signed?

6 A. Yes.

7 Q. On page one, paragraph three it  
8 says that defendant is wrongly claiming I was  
9 not enrolled as a medical student when I took  
10 the exam.

11 Can you explain the basis of  
12 that statement?

13 A. Administrative letter issued on  
14 June the 29th, 2006 specifically states that  
15 if the student is registered for the board,  
16 this is a requirement for a student to be  
17 enrolled in Ross.

18 Q. The letter from June 29th we  
19 have here. Exhibit Q.

20 Can you point to the language  
21 that you were just referring to?

22 A. In order for a student to  
23 remain enrolled with RUSM, they must either  
24 be registered for courses and/or registered  
25 for the board. I was registered for the



1 A. DASRATH

2 board at time.

3 Q. So, you believe that this, that  
4 you were actually enrolled in the medical  
5 school despite Exhibit Q, the letter?

6 A. I was enrolled in the USMLE for  
7 the board.

8 Q. Once a student it says becomes  
9 inactive, they are administrative withdrawn  
10 from RUSM?

11 A. I was enrolled in the USMLE to  
12 take the board. That is what the letter is  
13 saying if you are enrolled with the board you  
14 are a student.

15 Q. But this says you are no longer  
16 eligible for the board because you have been  
17 administratively withdrawn?

18 This does not say that but the  
19 ECFMG regulation states that you have to be  
20 enrolled at the school in order to be  
21 eligible to take the board.

22 You believe because you applied  
23 to take the board you were officially  
24 enrolled at the school?

25 A. I was officially certified by



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I N D E X

WITNESS	EXAMINATION BY	PAGE
ANAND DASRATH	MS. McLAUGHLIN	4

E X H I B I T S

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1                   A. DASRATH

2                   why they are withdrawing me.

3                   I don't have to show up in  
4                   Dominica. In a different pay. I'm in a  
5                   clinical phase. Those in the basic science  
6                   show up at Dominica within one week of start  
7                   up. Not me.

8                   Q.       When you failed the AICM you  
9                   were supposed to show up in Dominica?

10                  A.       You claim that I fail the  
11                  AICM. I didn't say that. I told you they  
12                  gave me failing grade on August the 14th.

13                         On page twenty-three it  
14                         specifically states that students are  
15                         withdrawn when they do not return to the  
16                         campus the following semester.

17                         I don't have to return to the  
18                         campus. I finished all campus work.

19                  Q.       Okay. Are those the only  
20                         provisions of this handbook that you believe  
21                         were breached by Ross?

22                  A.       More, more. On page  
23                         twenty-five the University, it states, on  
24                         page twenty-five it states the University  
25                         follows the guidelines of the U.S. Family





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1                   A. DASRATH

2                   those five parts.

3                   Q.     You do have proof of those five  
4                   parts because you have a certification?

5                   A.     Yes.

6                   Q.     What is clinical clerkship?

7                   A.     A clinical clerkship is  
8                   something that starts after you pass the  
9                   USMAL step I.

10                  Q.     There is no clinical clerkship  
11                  that starts during the AICM course?

12                  A.     No.

13                  Q.     There is no clinical clerkship  
14                  in the AICM class?

15                  A.     You have to first pass your  
16                  USMAL step I otherwise you are not authorized  
17                  to do clinical stuff on live patients.

18                  Q.     You told them to look into the  
19                  grade, something might be wrong and what did  
20                  he respond?   How did he respond?

21                  A.     He responded aggressively. He  
22                  doesn't like to be told he's wrong.

23                  Q.     What did he say to you exactly?

24                  A.     He told me no.

25                  Q.     And that was it?





1  
COPY

1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF NEW YORK  
3 -----X  
4 ANAND DASRATH,

5 PLAINTIFF,

6 -against- CASE NO. CV-07-2433

7 ROSS UNIVERSITY SCHOOL OF MEDICINE,  
8 -----X

9 DEFENDANT.  
10 -----X

11 DATE: October 15, 2010

12 TIME: 9:45 a.m.

13 EXAMINATION BEFORE TRIAL of the

14 Defendant, ROSS UNIVERSITY SCHOOL OF

15 MEDICINE, by NANCY PERRI, taken by the

16 Plaintiff, pursuant to an Order, held at the

17 offices of Cullen & Dkyman, Esqs., 44 Wall

18 Street, New York, New York, before a Notary

19 Public of the State of New York.  
20  
21  
22  
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24  
25

SEVERIN & ASSOCIATES, INC. \* 516 628-1402

A. DASRATH

extent not already provided, I'm going to call for production of the exam sheet for the AICM course for Mr. Dasrath.

MR. CAPUANO: That is fine. To the extent they haven't been provided we will provide it.

Please follow it up in writing.

Q. Typically what is the time frame between once an exam is given by a professor and the release of the scores to the students?

MR. CAPUANO: Objection.

Q. In other words, I don't want to speak in hypotheticals, but if an exam is given in June, when does a student typically receive his or her score?

A. Results of an exam, the students would know in short order, whether or not, they passed an examination.

Q. What do you mean when you say a short order?

A. A week or two.

SEVERIN & ASSOCIATES, INC. \* 516 628 1400

COPY

1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF NEW YORK  
3 - - - - -  
4 ANAND DASRATH,  
5

6 Plaintiff,

7 -against- Case No.  
8 CV-07-2433

9 ROSS UNIVERSITY SCHOOL OF MEDICINE,

10 Defendant. - - - - - X  
11

12 October 21, 2010  
13 9:55 a.m.

14 44 Wall Street  
15 New York, New York

16  
17 DEPOSITION OF DR. ENRIQUE S. FERNANDEZ,  
18 appearing as a witness on behalf of the Defendant  
19 herein, taken by the attorneys for Plaintiff,  
20 Pursuant to Notice, held at the above-mentioned  
21 time and place, before Alec Dzenski, a Notary  
22 Public in and for the State of New York.  
23  
24  
25

\*\*\* \*\* \*\*\*

SEVERIN & ASSOCIATES, INC.  
1 South View Court  
Bayville, New York 11709  
TEL. (516) 628-1402 - FAX (516) 628-0423

Dr. Fernandez - Direct 12

April. I don't recall the exact last date of the semester.

Q Would it be the early part of April, the late part of April?

A Probably the early part of April.

Q After a student completes the AICM, is a grade given?

A Yes.

Q When is that grade given?

A It's given approximately two weeks after the conclusion of the course.

Q Is the student also given a certification of completion of that course?

A I don't understand the question.

Q In addition to a grade, let's say a letter or a number, is the student then certified that he or she has completed the course?

A No.

MR. CAPUANO: What do you mean by certified?

A I don't understand what you mean by certified.

Q Is a student given a certification that he or she has completed the AICM?

SEVERIN & ASSOCIATES, INC. \* (516) 628-1402



Ross University  
School of Medicine  
Anthony F. Almeida M.A.,  
Ph.D.  
Professor  
Department of Pharmacology

Pedsmouth Campus  
Commonwealth of Dominica,  
West Indies  
Phone 767-255-6241  
Fax 767-445-5383  
almeida@rossmed.edu.dm  
<http://rossmed.edu.dm>



ROSS  
UNIVERSITY

February 21, 2006

To Whom It May Concern:

Dear Sir/Madam:

Re: Mr. Annand E. Dasrath

It is a pleasure to write this letter of reference for Mr. Annand Dasrath. I was assigned as his adviser on his arrival, and in his second semester he was a member of a Problem Based Learning group for which I was responsible. He also attended my lectures in the third and fourth semester.

During the tenure of his first degree, Mr. Dasrath had defined for himself the *persona* of a confident young man, with high academic standing, and a dedicated involvement in the health and care of his fellow humans. He brought to Ross University the talents of a highly experienced Hospital Pharmacist.

Mr. Dasrath presented himself as an intelligent and valuable member of our Problem Based Learning group. In the preparation of his material he was thorough and his presentations were made to his colleagues with clarity and self-confidence. His considerable experience as a Hospital Pharmacist was clearly reflected in his studies, presentations and discussion. He did not allow this advantage to diminish or alter his consideration and respect for colleagues. In conversations outside the classroom his genuine concern for his fellow humans is readily apparent. He will be well served by these qualities in his training for his Profession and afterwards. I wish the very best for him.

Yours truly,

*Anthony Almeida*

Anthony F. Almeida, MA, Ph.D.

Exhibit V2

**Ross University**  
**SCHOOL OF MEDICINE**  
**PORTSMOUTH, DOMINICA**  
**WEST INDIES**

**Name:** Dasrath, Anand E

Student ID: 107-58-9913

**Undergraduate Institution: YORK COLLEGE**

Matriculation Date: 5/10/2004

**Comments:**

<u>Code</u>	<u>Course Title</u>	<u>Grade</u>	<u>Credits</u>	<u>Code</u>	<u>Course Title</u>	<u>Grade</u>	<u>Credits</u>
<b>Basic Sciences</b>							
Semester: 5/10/2004							
0523	BIOCHEMISTRY			0745	PATHOLOGY I		
0526	MEDICAL GENETICS	F	0	0747	MICROBIOLOGY & IMMUNOLOGY I		C
0552	DOCTOR PATIENT AND SOCIETY	B+	3	0749	PHARMACOLOGY I		C
0518	DEVELOPMENT&MICROANAT/CCELL BIOLOGY	C	3	0752	BEHAVIORAL SCIENCE		B+
							B
							S
	EARNED CREDITS	GPA	QIP		EARNED CREDITS	GPA	QIP
	SEMESTER:	12	31	15	SEMESTER:	15	39.5
	CUMULATIVE:	12	31	15	CUMULATIVE:	52	132.5
							2.63
							2.41
Semester: 9/6/2004							
0518	DEVELOPMENT&MICROANAT/CCELL BIOLOGY	B	4	0847	MICROBIOLOGY & IMMUNOLOGY II		C
0526	MEDICAL GENETICS	C	3				B
0552	DOCTOR PATIENT AND SOCIETY	A	3				C
							C
	EARNED CREDITS	GPA	QIP		EARNED CREDITS	GPA	QIP
	SEMESTER:	10	30	10	SEMESTER:	15	33
	CUMULATIVE:	22	61	25	CUMULATIVE:	67	185.5
							2.20
							2.36
				Total Credits: 67			
				No EnTRIES Below This Line			

**Semester: 1/10/2005**

		CARNED	GPA	Q*	CREDITS	GPA
0631	MEDICAL PHYSIOLOGY					
0616	GROSS ANATOMY					
0615	NEUROBEHAVIORAL I					
SUMMER:		15	32	15	2.13	
CUMULATIVE:		37	93	40	2.33	

NOT VALID FOR TRANSFER OF CREDIT

**Semester: 1/10/2005**

0631	MEDICAL PHYSIOLOGY		
0616	GROSS ANATOMY		
0615	NEUROBEHAVIORAL I	EARNED CREDITS	GPA QIP
		15	32
		37	93

NOT VALID FOR TRANSFER OF CREDIT

Page 1 of 1  
05/22/2005

STUDENT  
COPY

000035





The sender of this message has requested a read receipt. Click here to send a receipt.

**Dasrath, Anand**

Sent: Thu 3/9/2006 4:52 PM

**From:** Sena, Brijette  
**To:** Fernandez, Dr. Enrique; Randon, Michael; Reardon, Rosemary; Perri, Dr. Nancy  
**Cc:**  
**Subject:** Results of NBME comprehensive shelf exam  
**Attachments:**

Dear Students,  
We have received the results of your NBME comprehensive exam. Congratulations! You have passed the exam and are now eligible to sit for the USMLE Step 1 exam. Your six-month eligibility period is April 1 – September 30, 2006. You are required to sit for the USMLE Step 1 no later than 9/30/06. You will have 3 attempts or until April 30 2007 to pass Step 1.

If you have previously submitted a USMLE application along with a waiver, you may now schedule your USMLE Sitting date as soon as you receive your scheduling permit. Be sure to notify this office of the date you schedule.

Please see below for eligible USMLE windows and deadlines to submit USMLE applications. You will be ineligible for an extension beyond the 9/30/06 date so please plan accordingly.

Windows you may apply for: Deadline to submit application to NJ Registrar

May 1 – July 31, 2006 March 15, 2006

June 1 – August 31, 2006 April 15, 2006 \* please inform me if you are choosing this window by replying to this email

July 1 – Sept. 30, 2006 May 15, 2006 \* please inform me if you are choosing this window by replying to this email

In order to Match in 2008, you must complete the remaining 78 weeks no later than 5/31/08. As every clinical schedule is individualized, there may be gaps in the curriculum due to site availability, time off for sitting for Step 2 and interviewing. Therefore, your exact date of completion can not yet be determined. As a guideline, you should allow for a minimum of 90 weeks to complete the remaining 78 clinical weeks. Therefore you should attempt to have receipt of passing step 1 scores and begin rotations no later than Sept. 1, 2006.

Please go to the [www.ecfm.org](http://www.ecfm.org) website. If you have not already done so, please apply for the ECFMG number. You will receive it via email in approximately 24 hours. You may then proceed to complete the Step 1 online application. Print the certification form 183, attach a passport sized picture, sign and date and send to Ross University, Office of the Registrar, 499 Thornall St., 10th Floor, Edison, NJ 08837. Please refer to the memo distributed during AICM Orientation on further instructions on how to complete the application.

The deadline to RUSM for the 4/1/06 – 6/30/06 window has passed and that window is no longer available, as I would have needed to have the application in my office by the Feb. 15th.

If you wish to receive your score, please email me from your RUSM email address, being sure to include your ID and name.

Please note: As was discussed during AICM orientation and in the memo which was distributed, students who do not begin rotations by the end of the vacation period [16 weeks after completing AICM] must then be placed on Temporary Withdrawn status [TWD] retroactive back to the last date of attendance in the AICM and placed on less-than-half time status. While you are enrolled in the University for the purpose of taking the USMLE Exam, you are not registered for courses at least half time. DOE, as well as all lender regulations, do not allow for deferment of loans or receipt of financial aid when a student is not enrolled at least half time in classes. This means you would have to be a registered for courses in Basic Sciences or Clinical rotations in order to be deferred. The University is unable to submit enrollment verification while a student is in less than half time status. Even during the clinical curriculum, if at any time a student is not scheduled for longer than 30 days between rotations, they will be placed on less than half time status and are subject to repayment on loans. This is a gap which must be disclosed when applying for the Match and for licensure. Please refer to the memo which was distributed during the AICM Orientation for exact dates and timeline information regarding statuses.

During TWD status, loans can not be deferred through the University. Your lenders will place you on grace period and if the student does not begin rotations by the end of the grace period, the student must make arrangements with their lenders for an economic forbearance. Once the student passes the boards and begin rotations, the student must complete a reinstatement application and

<http://dimexg01.rossmed.edu.dm/exchange/AnandDasrath@rossmed.edu.dm/Inbox/Results...> 7/8/2006

send new deferment forms from the lenders in to the University in order to place the loans back into deferred status.

If you have further questions, feel free to contact me via email at [Registrar@rossu.edu](mailto:Registrar@rossu.edu) or phone at 732-978-5300 Ext. 2601.

Sincerely,  
Brijetta Sana  
Associate Registrar of Clinical Sciences

<http://dmexg01.rossmed.edu.dm/exchange/AnandDasrath@rossmed.edu.dm/Inbox/Results...> 7/8/2006



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1					
2			I N D E X		
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1 A. DASRATH

2 says they are waiting for a case to finish.  
3 So I'm still on hold. I didn't get my score  
4 and I can't do any business with them. I'm  
5 just on hold.

6 Q. Your interrogatories while we  
7 are on this document, number thirteen, you  
8 set forth your claimed damages sought in this  
9 action.

10 You list items that you are  
11 seeking recovery from; is that correct?

12 A. Yes.

13 Q. Is this amount solely for the  
14 the breach of contract or for the other  
15 claims in the amended complaint?

16 A. For the breach of contract.

17 Q. So, for is breach of contract  
18 claim you are claiming \$165,000; is that  
19 correct? That is the first one. I know  
20 there is more.

21 A. For schooling 165,000.

22 Q. How did you come to that  
23 number?

24 A. This is money that I spent for  
25 tuition and fees for dormitory housing, books

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1 A. DASRATH

2 and supplies, air fare from New York to

3 Dominica and back, from New York to Miami and

4 back, ground transportation in Miami where

5 there is no subway?

6 Relocation, just as it says  
7 here and other living expenses.

8 Q. Have you produced any

9 documentation supporting these numbers?

10 A. Nobody requested them.

11 Q. I think I did actually. I  
12 refer you to number eleven.

13 MR. COSTELLO: We will provide  
14 those.

15 MS. McLAUGHLIN: I request it  
16 on the record and I will follow up, we  
17 need any documentation that supports  
18 your calculations.

19 Q. Your attorney fees and you  
20 calculate that by what you paid to your  
21 attorneys representing you?

22 A. That is more now because I have  
23 been paying since that time.

24 Q. What is that number?

25 MR. COSTELLO: He may have to





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I N D E X		
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~~1~~ A. DASRATH

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3 Dominica and back, from New York to Miami and  
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15 MS. McLAUGHLIN: I request it  
16 on the record and I will follow up, we  
17 need any documentation that supports  
18 your calculations.

19 Q. Your attorney fees and you  
20 calculate that by what you paid to your  
21 attorneys representing you?

22 A. That is more now because I have  
23 been paying since that time.

24 Q. What is that number?

25 MR. COSTELLO: He may have to

1 A. DASRATH

2 go back and check his records. We will  
3 supply it.

4 Q. Lost wages and benefits?

5 A. For the time I've been at Ross  
6 I have lost an amount of money I could have  
7 been working and earning a living.

8 Q. How did you calculate the  
9 \$360,000?

10 A. From the time I went to Ross to  
11 the time I restarted work, I calculate that  
12 based on the past salary I was making.

13 Q. If you had never went to Ross  
14 that is how this is calculated?

15 A. Yes.

16 Q. Because you left to go to  
17 school full-time?

18 A. Yes.

19 MS. McLAUGHLIN: I will need  
20 documentation supporting that.

21 Q. Loss of profession.

22 What does that mean?

23 A. I lost my MD degree.

24 Q. Mental anguish and distress?

25 A. Like I am feeling right now.

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1 A. DASRATH

2 Q. Have you seen a doctor  
3 concerning the anguish and --

4 A. I seen them a number of times.

5 Q. What are their names?

6 A. I went to Dr. Kevin Ackerman.

7 Q. Where is he located?

8 A. In Nassau County. He used to  
9 be on Northern Boulevard but he recently  
10 move.

11 Q. Is he a general practitioner or  
12 a specialist?

13 A. I think he is a specialist,  
14 yes.

15 Q. For what?

16 A. For internal medicine.

17 Q. And you go to see him for  
18 what?

19 A. For medical problems.

20 Q. Are any of those problems  
21 related to your allegation in this lawsuit?

22 A. I just go to see him for  
23 medical problems.

24 Q. Are you suffering medical  
25 problems related to the issues in this

1

A. DASRATH

2

lawsuit?

3

A. I have intense stress. The

4

lawsuit brought a lot of intense stress.

5

Q. Anything else?

6

A. Whatever is stated here.

7

Q. Can you explain your seeking

8

damages for the disappointment to family

9

members.

10

Can you explain what that

11

relates to?

12

A. They were very disappointed.

13

Q. And there is no monetary number

14

attached to that?

15

A. We haven't done that yet.

16

Q. How about being ostracized by

17

Ross University.

18

Can you explain what that

19

means?

20

A. I think I was treated like

21

garbage.

22

Q. By who?

23

A. The whole Ross community.

24

Q. Are you talking students,

25

staff?

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1-~

A. DASRATH

2 A. I'm talking about the staff.

3 The administrative staff.

4 Q. Okay.

5 A. Their professors.

6 Q. Other than being treated like  
7 garbage by those individuals, are there any  
8 other claims for damages concerning being  
9 ostracized?

10 A. Well, they blocked me from  
11 proceeding with my degree, my M.D. degree and  
12 that ultimately created a lot of mental  
13 anguish, psychological stress, things of that  
14 nature.

15 Q. How did they block you from  
16 obtaining your degree?

17 A. They block the release of my  
18 score.

19 Q. After receiving your AICM score  
20 in August of 2006, was it your understanding  
21 that you would have needed to retake the  
22 class?

23 A. There was no indication until  
24 August the 14th when Ross registrar sent a  
25 failing grade. All indication was that I





UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ANAND DASRATH -----X Case No.: CV-07-2433

Plaintiff,

-against-

INTERROGATORIES

ROSS UNIVERSITY SCHOOL OF  
MEDICINE

Defendant.

-----X

In compliance with your demand, the undersigned hereby submits Certified Answers to the following Interrogatories in accordance with the Rules of this Court.

Interrogatory No. 1

Identify the contract that you allege was breached and attach a copy of it to your response.  
(a) Identify the specific sections or paragraphs of the contract that you allege was breached

RESPONSE:

- (a) Ross University School of Medicine Student Handbook of Academic Rules and Regulations, May 2006. *See exhibit "A" annexed hereto*
- (i) Page 13 of the Student Handbook, wherein it is stated: "Students become eligible to take the USMLE Step 1 when they have passed all courses in the Basic Science curriculum, successfully completed the Advanced Integration to Clinical Medicine (AICM) clerkship, and have passed the NBME Comprehensive Basic Science Exam";
- (ii) Page 9 of the Student Handbook, wherein it is stated: "Following the 12-week AICM, there is a 17-week scheduled break during which students remain fully enrolled";
- (iii) Page 14 of the Student Handbook, wherein it is stated that even if a student is "administratively withdrawn ... may ... be sponsored to take or retake the USMLE through the University";



(c) Withholding Plaintiff's official grade from his transcript for more than four months.

Interrogatory No. 11

State whether you registered to re-take the AICM course.

- (a) If yes, state the date and the status of your application;
- (b) If no, state why not.

RESPONSE:

No. Ross registers students to take the AICM course. To Plaintiff's knowledge, Ross has never re-registered him to re-take the AICM course.

Interrogatory No. 12

State when you first learned of your failing grade in the AICM course.

RESPONSE:

On or about August 14, 2006 from a transcript.

Interrogatory No. 13

State with specificity each category of damages alleged in this action stating separately for each category of such damages:

- (a) The total amount claimed;
- (b) The method of calculation;
- (c) The components of such claim(s)

RESPONSE:

(a) Total amount for schooling: \$165,000.00

(b) Method of calculation: adding up each of the components for schooling.

(c) Components:

Tuition and fees: approximately \$64,000.00

Dormitory: approximately \$24,000.00  
Books and supplies: approximately 12,000.00  
Air-fare: approximately \$6,000.00  
Ground transportation: approximately \$20,000.00  
Relocation: approximately \$4,000.00  
Other living expenses: \$35,000.00

(d) Other losses:

Attorney's fees: Approximately \$38,000.00  
Lost wages/and benefits: Approximately \$360,000.00  
Loss of profession: To be determined  
Mental anguish and distress: To be determined  
Disappoint to family members: including but not limited to, my child, my wife, my mother, siblings, and other family members and friends  
Being ostracized by Ross University Community: To be determined

Interrogatory No. 14

Identify all documents or other tangible items that were relied upon in any manner in answering these interrogatories.

RESPONSE:

- (1) Ross University School of Medicine Student Handbook of Academic Rules and Regulations, May 2006;
- (2) Admission Letter to Ross University School of Medicine;
- (3) Ross University School of Medicine Academic catalog;
- (4) USMLE Certifications (2);

Index No. CV07-2433

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**ANAND DASRATH,**

Plaintiff,

-against-

**ROSS UNIVERSITY SCHOOL OF MEDICINE,**

Defendant.

**PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT  
PURSUANT TO  
FEDERAL RULES OF CIVIL PROCEDURE - RULE 56**

**COSTELLO & COSTELLO, P.C.**

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Our File No. 6970

Dated: Brooklyn, New York  
March 2, 2011

**COSTELLO & COSTELLO, P.C.**

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